

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HOWARD HESS DENTAL)
LABORATORIES INCORPORATED,)
et al.,)
Plaintiffs,)
v.) Civ. No. 99-255-SLR
DENTSPLY INTERNATIONAL, INC.,)
Defendant.)

O R D E R

At Wilmington this 13th day of February, 2008,

WHEREAS, by memorandum opinion and order (D.I. 271, 272), the court denied plaintiffs' motion for summary judgment and injunctive relief based on count II;

WHEREAS, all other counts, and all other claims for relief based on count II, have been dismissed with prejudice; and

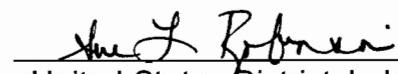
WHEREAS, plaintiffs have reserved their right to appeal from this order, and from all prior adverse orders not previously appealed from;

NOW, THEREFORE, IT IS ORDERED that:

1. The complaint is dismissed with prejudice.¹
2. Entry of this order shall constitute entry of a final judgment in the above

¹Therefore, defendant's motion to dismiss (D.I. 287) is moot.

captioned matter, pursuant to 28 U.S.C. § 1291.



United States District Judge